

**The Bill Blackwood  
Law Enforcement Management Institute of Texas**

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**Body Cameras:  
Regaining Trust and Credibility**

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**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**

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## **ABSTRACT**

Recent events involving law enforcement uses of deadly force coupled with irresponsible media coverage have put law enforcement on the defensive.

Unfortunately, the mainstream media and its pundits are not required to exercise any form of due process. Their coverage and associated narratives have catapulted police into a defensive position and the “mob rule” effect has been felt nationwide. So-called “victims” of police brutality have called for action and the public outcry for the use and implementation of body-worn cameras are being hailed as the answer, but not the “panacea” (Bruer, 2015).

This leadership white paper will address the reasons why body-worn cameras should be implemented and used by law enforcement agencies as well as address some of the obstacles currently being encountered and how to address those obstacles. In order to remain transparent and regain legitimacy in law enforcement, body-worn cameras offer yet another tool to record even the most intimate events they encounter. As they create a heightened sense of self-awareness by both the officer and the citizen, body-worn cameras have the potential of reducing uses of force, abusive behavior by the wearer, and untruthful citizen complaints, thus creating opportunities to bridge the gap between law enforcement and the communities they serve.

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## INTRODUCTION

In a letter recently written to Elkhart County (IN) Sheriff Brad Rogers, a citizen expressed a sigh of relief upon learning of his deputies now wearing body cameras. The citizen asserts their confidence this measure will resolve any conflict in determining if his deputies are correct when using force. The sheriff's initial response was simple: "I wish it was that simple!" ("Misconceptions," 2015, para. 2).

Many people, police and activists alike, are weighing the benefits of police wearing body-worn cameras. Recent events involving police use of force, even deadly force, has sparked outrage and even riots, as seen in Ferguson, Missouri after the shooting death of an unarmed man. In the aftermath, a cry for the use and implementation of body-worn cameras to be worn by police has been heard nationwide. Even President Barack Obama has weighed in and supports this narrative, vowing to provide federal funding to assist in outfitting law enforcement with these cameras. When commenting to his recent creation of a task force for 21<sup>st</sup> century policing, the President was quoted, "There's been a lot of talk about body cameras as a silver bullet or a solution," Obama said Monday. He continued to say, "...there is a role for technology to play in building additional trust and accountability but it's not a panacea. It has to be embedded in a broader change in culture and a legal framework that ensures that people's privacy is respected ...." (Bruer, 2015).

Many believe that the use and implementation of body-worn cameras will resolve many, if not all of police misconduct issues. However, there are few studies, if any, of the citizen's view of this type of technology (White, 2014). In the case of Michael Brown, the unarmed man shot and killed in Ferguson, Missouri, the conflicting reports

regarding the circumstances in whether or the not the shooting was justified, fueled the tensions when the grand jury declined to indict the officer responsible, setting Ferguson ablaze as a result.

Then days later, in nearby St. Louis, Missouri, another man was shot and killed by police. Although armed with a knife after committing a robbery, Kajieme Powell was confronted by police who responded to the call of the robbery. Initially, the officers and the witnesses stated that Powell challenged the officers to shoot him. The officers also claim the Powell came within three feet of their vehicles with the knife before shooting and killing him. Although the shooting was not captured on a body-worn camera, a bystander captured the shooting on his cell phone camera. A day later, St. Louis police released the cell phone footage, which disputes the officers initial claim as to how close Powell came to them and seemed to have his hands by his sides. Still, the perception of police misconduct swirled in the air despite video footage and once again, the potential for a grand jury to weigh the facts seems imminent (Jauregui, 2014).

The implementation and use of body-worn cameras are not the end-all, be-all solution to police uses of force or citizen complaints, but they may provide a “civilizing effect”; however, there are too few studies to reveal any definitive results (White, 2014). This recent public narrative creates many expectations and misconceptions to their use and most importantly, their interpretation. Even though there is no evidence that body cameras would have prevented the end results in either the Brown or Powell case, all law enforcement agencies should use and implement police body cameras to add transparency and attempt to regain not only the public trust of police officers, but to also aid police officers in earning their credibility back.

## POSITION

Generally, officers support the use of body-worn cameras to bolster their credibility in cases involving citizen complaints as well as uses of force. One of the most stressful times during an officer's tenure of employment is enduring the investigative process relating to citizen complaints. Due to the advent of body-worn cameras, law enforcement agencies are enjoying a decline in citizen complaints.

A study conducted by the University of Cambridge's Institute of Criminology of the Rialto Police Department (CA) in 2012 ("Police body-worn-cameras," 2014), showed justification for implementation of their body camera program. Their study showed that during the 12-month experiment, Rialto officers' uses of force dropped by 59% and citizen complaints against officers fell by 87% against the previous year's numbers. The researchers cited that the officers and citizens' knowledge that the contacts were being recorded created a sense of self-awareness which caused individuals to change their behavior which account for the marked decrease in complaints. The study's success shows that these cameras appear to have a noticeable impact between police and citizen encounters, bringing positive feedback ("Police body-worn cameras," 2014). The U.S. Department of Justice and the Police Executive Research Forum released a study in 2014 called "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned". Of the agencies profiled in this study, it was shown that complaints against the police and their uses of force were reduced after they implemented using the body cameras (as cited in Smith, 2014).

According to White (2014), body-worn cameras offer a faster resolution to citizen complaints against law enforcement. These cameras potentially offer a witness account

of behavior(s) as opposed to “my word against his”. The cameras can also reduce findings of “not sustained” and provide a more definitive answer to citizen complaints.

In Texas, the Chief of Police in Celina, Texas, reports his body camera program has been a success after nine months of use. Chief Mark Metdker attributes this success to his officer’s self-awareness in knowing everything they say and do is being recorded. Chief Metdker even released footage on YouTube from an arrest which shows two different views – one from the in-car dash camera, and a second view from the officer’s body camera. During this arrest of a subject stemming from a domestic violence call, the in-car dash camera video shows the officer seemingly “jumping” on the suspect and taking him to the ground. However, the officer’s body camera shows a second view that indicates the suspect tried to strike the officer first with the officer reacting and taking the suspect to the ground. This second view, albeit positive for the officer in this case, shows the added benefit of the body camera to bolster the officer’s credibility in this case (“Texas officer’s body camera,” 2014).

By recognizing and addressing some of the misconceptions surrounding body cameras, law enforcement will be better equipped when faced with reviewing and giving an accurate account to the public for what is captured on these cameras. Studies, such as in Rialto, California, by the University Of Cambridge in 2012 (“Police body-worn cameras,” 2014), have shown a decrease in police uses of force as well as citizen complaints as a result of an increased sense of self-awareness by both police and citizenry alike. With the increased sense of self-awareness, White (2014) believes that law enforcement officers will curb offensive language, threats, coerced compliance and

involuntary statements. He also writes that citizens are more likely to be respectful and compliant when they are aware of body-worn cameras.

In his letter to The Goshen News (“Misconceptions,” 2015), Elkhart County (IN) Sheriff Brad Rogers touched on some misconceptions of body cameras that should be considered. Certain situations arise when police use body cameras that present some confusion as to why body cameras may not be the panacea as some might believe: A body-worn camera may be knocked off the body of a police officer during a struggle; this may disconnect the camera from its power supply or otherwise cause it to malfunction and fail to capture the incident. The “eye” of the camera is not viewing what the officer is viewing; although the camera field is broad, it does not indicate what the officer sees or what information he is processing at any given moment, such as a threat. Danger cues experienced by all human beings cannot be recorded by a camera; an officer’s threat perception based on real-time knowledge of each circumstance coupled with experience and previous knowledge of a suspect cannot be accounted for on video. Although a suspect’s behavior may seem harmless to the general public, it may convey an entirely different meaning to the officer. The speed at which things occur also differs from what is happening in real time.

During most encounters, officers react to a suspect’s actions, creating a delay in how an officer responds as it develops on video. The camera’s view may be better than the officer’s view as it renders footage in High Definition (HD). Most of the HD cameras are manufactured to operate in low-light situations, which may present a better view of a situation than what the officer was actually able to view and even process. In contrast, cameras do not always perform well when transitioning from lighting conditions, which



may cause image distortions or momentary blank portions of footage. Errant judgement calls can be made on any video if the facts other than what is contained on the video are not considered, which is why review and interpretation must consider all of the facts rather than just the video (“Misconceptions,” 2015).

The use of body-worn cameras remains in its infancy and although the preliminary studies show a positive effect, they are not a definitive answer to their effectiveness. Because the studies have only been in full swing over the past 3 years, what is not known yet is whether the effect of the cameras will fade as the public becomes used to them. However, one of the unintended, and probably most valuable, consequences of body worn cameras is the potential for broader training-based review of video footage captured during police-to-citizen contacts, arrests, and even uses-of-force. This review will offer a closer look at these encounters while offering administrators greater insight when implementing use-of-force policy or when reviewing tactics. From better preparation of the youngest academy cadets to the continuing education of seasoned officers, this value is yet to be measured (White, 2014).

## **COUNTER POSITION**

At this time, there are few critics against the use of body-worn cameras by police. However, issues have been raised which pose unforeseen obstacles that have yet to be addressed. It seems legislation is on the forefront to address these and many more issues that continue to cloud the efficient and responsible use of body-worn cameras.

One issue is not a surprise, but as with any new technology, it comes with a price tag. Law enforcement agencies are struggling to find funding for the purchase of body-worn cameras with budgets already stretched paper-thin. President Obama has

committed a reported \$75,000,000.00 in federal funding to aid some of the more than 18,000 law enforcement agencies in the U.S with purchasing body-worn cameras. In 2014, The Jacksonville Journal-Courier reported that the cost of body-worn cameras are about \$400 to equip an officer. Though this does not sound expensive, smaller departments will have a harder time outfitting their officers without federal assistance. In the same article, Alton (IL) Senator William Haine and Peoria (IL) Representative Jehan Gordon-Booth commit to providing funding for the cameras by attaching a \$6 surcharge to fees associated with traffic and other criminal offenses (“Our view,” 2014).

In Kern County (California), the Sheriff’s Office has committed to outfitting 17 of its deputies with body-worn cameras. Sheriff’s Commander Drake Massey says that the program will be built on their existing dash camera platform. However, the cost of \$895 per body camera is an expensive venture regardless of the compatibility with its existing dash cameras provided by Watch Guard. But the City of Wasco – which contracts the Sheriff’s Office for its police services – is providing the funding for the purchase of the cameras (Burger, 2014).

In Grand Rapids, Missouri, the City Commission authorized spending over \$600,000 for initial startup of its body-worn camera program for the Grand Rapids Police Department. With the goal of issuing approximately 200 body cameras, they project a \$1.4 million cost in implementing their program over the next 5 years. As with many agencies, Grand Rapids PD faces the challenge of creating policy for the use of the cameras, which is challenging with little experience to draw from (Van Debunte, 2015).

In Lawton, Oklahoma, Lawton Police Captain Craig Akard estimates that even with matching federal funds promised by President Obama, it would still cost \$8,000 to \$12,000 just to outfit 20 of his officers. That price tag does not include the necessary software to download the videos nor the additional costs in data storage, such as additional computer hard drives (Rust, 2014). In Columbia, South Carolina, Florence County Sheriff's Office spokesperson Michael Nunn testified to South Carolina lawmakers that the price tag of body-worn cameras for his agency would be upwards of \$300,000 to outfit 234 officers. This also does not cover the storage of the data, which he estimates to be \$100,000 (Kinnard, 2015). Overall cost of storage of the data is not the only obstacle encountered by law enforcement agency command staff – the logistics required for downloading the data from each officer poses a threat to scheduling and overtime budgets as well.

In an email communication to his command staff, Sgt. Brent Cooley of the Galveston County Sheriff's Office (Texas) shared his initial findings from a trial use of body worn cameras. Although an effective tool, he encountered unforeseen obstacles relating to the logistics required when downloading data from the cameras. Issues such as scheduling times to allow for deputies to submit their data may conflict with minimum staffing requirements to cover patrol districts. This also presents budgetary constraints as deputies may be held over at the end of each shift, requiring overtime or other compensation for their time due to extended downloading times. He offers a solution to their local obstacles, which may require additional computers and / or a satellite facility of which deputies can use to complete these tasks during their shifts to offset these budgetary issues (Cooley, personal communication, May 11, 2015).

Law enforcement, throughout the ranks, will require additional training in the use, recording and downloading of body-worn cameras. They will also be required to demonstrate proficiency, as well as undergo certain scrutiny, when adhering to each agency's specific policy regarding when to record or not record during their citizen contacts. There are also concerns for the time and resources it will take during redaction procedures when preparing for subsequent prosecutions (White, 2014).

Another obstacle currently being addressed is privacy concerns. By comparison, in-car dash cams provide a video recorded account of police officers contacts with citizens during traffic stops and other law enforcement encounters just as body worn cameras will. However, the body-worn camera will provide a distinct "up-close" look and a clearer picture of what the officer is viewing. This intimate contact has already sparked debate over privacy concerns as these cameras will undoubtedly capture people at their worst, including the potential of capturing real-time footage of events within the sanctuary of one's home.

"Police use of body cameras," an article written in The Day (Smith, 2014), addresses privacy concerns in New London, Connecticut. He writes that police and civil rights activists are counting on body-worn cameras to provide transparency and accountability and reduce the number of citizen complaints filed against police. Branford (CT) Police Captain Geoffrey Morgan asserts that the 50 officers in his department have been outfitted with the cameras and touts its success. However, Morgan also addresses privacy concerns when police officers are within a person's home and the many awkward situations police encounter which might be captured on body worn cameras that might be embarrassing or otherwise reveal details about a person's private life that

would otherwise not be made public information. There is a distinct difference between capturing video in a public place versus that of a person's home (Smith, 2014).

A federal law allows for public access to police records, including videos (The Freedom of Information Act of 1966). With the ability to capture such intimate contacts with the public, which otherwise would not be offered before the use of body-worn cameras, this issue will pose many problems to law enforcement agencies as to exactly how much of the video captured will be released or redacted while remaining in compliance with the FOIA. Until clear legislation addresses the issues of privacy, officer discretion and clear and thoughtful policy creation will dictate how this information is released, despite privacy concerns. The effort to remain transparent with full disclosure will surely infringe on the beliefs of many people's privacy rights and to weigh the importance of one over the other at this time is premature.

## **RECOMMENDATION**

Law enforcement agencies should implement and use body-worn cameras to better account for law enforcement actions and citizen response to those actions. This initiative will serve to regain the public trust and establish legitimacy in their law enforcement agency (s) while allowing for clearer insight to police / citizen contacts and uses of force. This will reduce uses-of-force and drive down citizen complaints when all parties possess a keener sense of self-awareness due to the presence of the camera's watchful eye. Body worn cameras hold great promise as a training tool for law enforcement, both in the police academy setting and in performance evaluation. These post-hoc reviews can provide a mechanism for positive feedback for officer/cadet

behavior, identify problems, and help identify best practices in handling critical incidents (White, 2014).

Despite the obstacles, such as cost and privacy rights / concerns, the broader scope of the intent behind this initiative remains to be the protection of all individuals while rebuilding the credibility of the officers who give up so much to serve so many. Despite the seemingly high startup cost to purchase and implement body-worn camera programs, law enforcement agencies should seek assistance from civic groups, Citizen Sheriff / Police Academy alumni and other benevolent organizations within their respective communities to aid in raising necessary funds. If law enforcement and the public wish to bridge the gaps between them, they will collaborate to ensure that not only funding, but respect for privacy rights will remain a common goal. With these factors in mind, it becomes imperative that law enforcement agencies give meaningful thought and should consider dialogue with civic leaders when developing policy on the use of police body-worn cameras that is effective and respectful of all individuals.

The use and implementation of body-worn cameras for law enforcement is paramount in rebuilding trust and legitimacy with the communities' law enforcement serves. This trust and legitimacy will bolster the strength, as well as support, of local, county, and state governments with added transparency and accountability relative to law enforcement activities. The potential benefits are reduced uses of force, citizen complaints, and frivolous litigation, which can threaten any government's ability to provide quality services to their respective communities.

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